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**Steven A. Benner**  
1501 NW 68<sup>th</sup> Terrace  
Gainesville FL 32605-4147

April 29, 2006

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Title: Evolution-based Functional Genomics  
Inventor: Steven A. Benner  
Citizenship: USA  
Permanent Address: 1501 N.W. 68th Terrace, Gainesville FL 32605  
Tel: (352) 219 3570  
Fax: (352) 392 7918  
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SMALL ENTITY

**Certificate of Mailing.** This application is deposited with the United States Post Office on or before April 30, 2006 in an envelope with full postage.

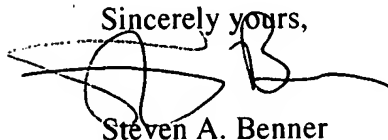
This communication is responsive to a communication of (date mailed) January 30, 2006, communicating that Claims 1-12 are subject to restriction and/or election requirements.

The Applicant respectfully chooses to elect claims 9-12. Please amend the above specified application to cancel Claims 1-8.

Since Claim 11 makes reference to Claim 8, please amend Claim 11 to read as follows:

Claim 11 [Amended]. The method of Claim 9, when the dates of events in the evolutionary history of said family is estimated by estimating the number of silent transitions in codons encoding conserved cysteine, aspartic acid, glutamic acid, phenylalanine, histidine, lysine, asparagine, glutamine, and tyrosine residues in an episode of that evolutionary history, estimating the total of such conserved codons, obtaining a ratio by dividing said number by said total, and making reference to a time-calibrated scale for said ratio.

Sincerely yours,



Steven A. Benner